

**Miami-Dade County  
Commission on Ethics  
and Public Trust**

# Memo

**To:** Michael Murawski, Advocate  
**From:** Kennedy Rosario, Investigator  
**Date:** August 23, 2007  
**Re:** K07-103 Close-Out Memo

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**Complaint:**

On Sunday, August 12, 2007 an E-Mail composed by Mr. Scot Carter, addressed to Cynthia W. Curry and Howard H. Piper, entitled "urgent matter" alleges that "county employee Damon Holness was having an affair "with my now ex-wife...". Carter's "concern is not salvaging my relationship with her but maintaining my ability to do business with the county without conflict" The e-mail further states "this person (Holness) carry's a gun to work when he knows I am in town to intimidate me...he was depositing money in various persons bank accounts to.....control my assets and my pending zoning application that is to be heard on September 18, 2007 for my company Toco Homes, Inc".

Note: COE Investigator Kennedy Rosario is familiar with both Scot Carter and Damon Holness. Carter, during Rosario's tenure with the Miami-Dade Police Department Public Corruption Investigation Bureau, was instrumental in bringing to light corruption that had engulfed Community Council #11 circa 2002.

Holness has been a "go to guy" when public information was needed expeditiously for an ongoing investigation.

Carter on or about August 9 and once again on Saturday August 11, 2007 contacted Investigator Rosario to ascertain if Holness, as a County employee, had acted either criminally or violated the County's Conflict of Interest Code.

Carter narrated Holness' alleged activities with his wife, their subsequent divorce, etc. etc., at no time during these telephone discussions did Carter mention that Holness was some how utilizing his County position to the detriment of Carter's application.

Based on the information Carter related to Investigator Rosario this event did not warrant an "urgent matter" label. Scot Carter agreed that Investigator Rosario, upon his return to work the following Tuesday, would speak with Holness to insure that Holness would not in any manner intrude in the application.

Investigator Rosario was subsequently surprised that Tuesday to learn of Carter's above noted e-mail. The e-mail's content, alleging both Holness carrying a weapon into a County facility and the possibility that Holness was acting in detriment to Carter's application was likewise surprising.

Investigation:

Of immediate concern, as a safety issue, was the alleged introduction of a firearm by Holness into a County workplace. Investigator Rosario, via the Miami-Dade Police Department, determined that Holness did not have a firearm registered in his name nor did he have a Concealed Weapon's License. Acknowledging that the possibility still existed of Holness baring a weapon, Holness was confronted with the allegation.

To that end Holness volunteered to turn over his County ID. This action ensured that Holness would necessarily subject himself to a search for contraband / weapon via the County's magnetometer and x-ray equipment each time he entered County Hall.

Next, the alleged interference in Scot Carter's application was looked into.

Scot Carter currently has an application before the County under his company's name, Toco Homes, Inc. to build four duplexes on land located at 10680 SW 172 St., Miami-Dade County.

This project is listed under County Process Number Z2007000089.

The assigned Processor is listed as Maria V. Valdez, 305-375-2640.

Ms. Valdez was contacted by COE Investigator Rosario. Ms. Valdez acknowledged knowing Holness but unequivocally stated that at no time has she been approached by Holness in any form related to Carter's project. Valdez further stated that the application was moving forward, was in fact recommended for approval but required a Zoning Hearing in matters requiring a variance.

Ms. Valdez informed the COE that a Zoning Hearing was scheduled for September 18, 2007 before Community Council #14, where the variance matter would be addressed. The variance was needed due to Public Works recommendation for denial of the project. The application calls for four duplexes where only two duplexes are Platted.

Contact was then made with Public Works Zoning Evaluator Fred Endara.

Mr. Endara likewise stated that at no time has Holness attempted to interfere with the application process. The sole reason for the recommendation for denial is simply due to Plat issue that must be resolved via Community Council # 14.

Conclusion:

The alleged interference of Carter's project by Holness is deemed a falsehood.

The matter concerning the alleged affair is clearly a private matter and was only addressed in this memo due to Carter's mention of same in his e-mail and conversations with COE Investigator Rosario. It was however used by COE Investigator Rosario to judge the veracity of Carter's allegations, both parties denied the allegation.

Recommendation:

No further action by the COE is warranted.

Note:

Scot Carter was advised of the investigative results and mentioned that he was contemplating withdrawing his application. It was made clear to Carter that such withdrawal was strictly his choice given that the application was solely judged on its merits and not due to any interference by any County employee.